

REMARKS

Applicants respectfully request reconsideration of the application, as amended, in view of the following remarks.

The present invention as set forth in **amended Claim 24** relates to a process for producing a water-soluble or water-swellaable polymer or copolymer, comprising:

providing at least one acid monomer alone, or in combination with at least one comonomer;

partially or completely neutralizing said at least one monomer with at least one basic nitrogen compound;

free-radical polymerizing said at least one monomer alone, or in combination with said at least one comonomer to form said water-soluble or water-swellaable polymer or copolymer,

wherein said free-radical polymerization is started at a temperature of from 0 to 50°C and is performed in aqueous solution at a maximum temperature of no more than 102-104°C, to provide an aqueous polymer or copolymer solution or an aqueous polymer or copolymer gel; and,

subsequent to completion of said free-radical polymerization, heating said water-soluble or water-swellaable polymer or copolymer at a temperature of from 120 to 240°C;

wherein said heating is carried out for a time period between 10 minutes and 2 hours.

Dahmen (WO 98/06190, US equivalent 6,060,557) fails to disclose or suggest the claimed heating time. Thus, the present invention cannot be anticipated by Dahmen.

In addition, Applicants provide herewith a **Rule 132 Declaration** showing the criticality of the claimed heating time. Notably, residual monomer content and gel content

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Reply to the Office Action dated: November 8, 2004

are superior if the heating is carried out for 10 min to 2 hours. Thus, even if the Examiner could establish a prima facie case of obviousness, such would be rebutted by the data shown.

Therefore, the rejection of Claims 24, 13-23, 25-33 under 35 U.S.C. § 102(e) as anticipated by Dahmen (WO 98/06190), the rejection of Claims 21-23 under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over WO '190 and the rejection of Claims 28-31 under 35 U.S.C. § 103(a) as being unpatentable over WO '190 are believed to be unsustainable as the present invention is neither anticipated nor obvious and withdrawal of this rejection is respectfully requested.

This application presents allowable subject matter, and the Examiner is kindly requested to pass it to issue. Should the Examiner have any questions regarding the claims or otherwise wish to discuss this case, he is kindly invited to contact Applicants' below-signed representative, who would be happy to provide any assistance deemed necessary in speeding this application to allowance.

Respectfully submitted,

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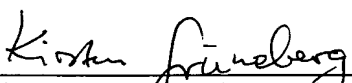
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